



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No.: 10/534,725
Filed: May 12, 2005
1st Inventor: H. Abe
For: Indole Derivatives as Somatostatin
Agonists or Antagonists
Atty. Dkt. No. 3122 USOP

Art Unit: tba
Examiner: tba
Allowed:
Batch:
Paper No.:

Information Disclosure Statement

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 23313-1450

Sir:

Pursuant to 37 CFR §1.56, 1.97 and 1.98, Applicants' request consideration of the reference listed on the attached form PTO-1449 under §1.97(b). Copies of foreign patent documents and non-patent literature are enclosed.

This statement is being timely filed before the mailing of a first Office Action on the merits. No fee is required for this filing.

Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call Applicants' attorney.

Respectfully submitted,

Dated: July 21, 2005

(847) 383-3391
(847) 383-3372

Elaine M. Ramesh
Elaine M. Ramesh, Ph.D., Reg. No. 43,032
Mark Chao, Ph.D., Reg. No. 37,293
Attorney for Applicants
Customer No. 23115

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
475 Half Day Road
Lincolnshire, IL 60069 USA

U.S. Patent Application Serial No.: 10/534,725

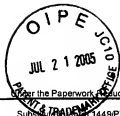
Certificate of Mailing under 37 CFR 1.10

The undersigned hereby certifies that this document, along with any attachments, is being deposited in an envelope addressed to The Commissioner of Patents and Trademarks, with sufficient postage with the United States Postal Service EXPRESS MAIL Post Office to Addressee Service on this date July 21, 2005 .

Express Mail Label No. EV 524905177 US

Dawn Hackbert

Printed Name: Dawn Hackbert



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Submittal Form 1449/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Application Number 10/534,725
Filing Date May 12, 2005
First Named Inventor H. Abe
Art Unit tba
Examiner Name tba
Attorney Docket Number 3122 US0P

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-2002/00901090	07-11-2002	B. Cole et al.	
		US-6,329,389	12-11-2001	Takeda Chemical Industries	
		US-2004/0058877	03-25-2004	Pfizer Inc.	
		US-6,696,418	02-24-2004	Pfizer Inc.	
		US-6,025,372	02-15-2000	Merck & Co., Inc.	
		US-6,057,338	05-02-2000	Merck & Co., Inc.	
		US-5,773,441	06-30-1998	Eli Lilly and Company	
		US-2004/0024067	02-05-2004	S. Remiszewski et al.	
		US-6,387,932	05-14-2002	Merck & Co., Inc.	
		US-2003/0229200	12-11-2003	L. Chen et al.	
		US-2003/0195212	10-16-2003	T. Lundstedt et al.	
		US-2002/0016298	02-07-2002	B. Hay et al.	
		US-2002/0128206	09-12-2002	B. Hay et al.	
		US-6,599,795	07-29-2003	Mitsubishi Denki Kabushiki Kaisha	
		US-6,600,015	07-29-2003	Hoffmann-La Roche Inc.	
		US-6,552,065	04-22-2003	Novartis AG	
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T*
		Country Code* Number** Kind Code* (if known)				
		EP 1 086 947	03-28-2001	Pfizer Products Inc.		
		WO 03/042204	05-22-2003	Takeda Chemical Industries		✓
		EP 1 437 351	07-14-2004	Takeda Chemical Industries		
		WO 99/52875	10-21-1999	Takeda Chemical Industries		
		WO 01/25228	04-12-2001	Takeda Chemical Industries		✓
		EP 1 227 090	07-31-2002	Takeda Chemical Industries		

Examiner Signature /Noble Jarrell/ Date Considered 11/09/2007

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N./J./

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/534,725
Filing Date	May 12, 2005
First Named Inventor	H. Abe
Art Unit	tba
Examiner Name	tba
Attorney Docket Number	3122 USOP

Sheet **3** of **3****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		WO 02/16350	02-28-2002	Takeda Chemical Industries		✓
		WO 01/74844	10-11-2001	F. Hoffmann-La Roche AG		
		WO 02/22577	03-21-2002	Novartis-Erfindungen		
		GB 2 351 733	01-10-2001	Merck & Co., Inc.		
		JP 52-148032	12-08-1977	Sankyo Co., Ltd.		✓
		WO 03/082819	10-09-2003	Nippon Chemphar Co., Ltd.		✓

Examiner Signature	/Noble Jarrell/	Date Considered	11/09/2007
--------------------	-----------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/534,725
Filing Date	May 12, 2005
First Named Inventor	H. Abe
Art Unit	tba
Examiner Name	tba
Attorney Docket Number	3122 USOP

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		D. MALEY, et al., "Expedient Solid-Phase Synthesis of Fluorogenic Protease Substrates Using the 7-Amino-4-Carbamoylmethylcoumarin (ACC) Fluorophore", <u>J. Org. Chem.</u> (2002) Vol. 67, No. 3, pages 910 - 915	
		F. HERNANDEZ, et al., "A Short Synthesis of de-'prenyl'-ardeemin", <u>Tetrahedron Letters</u> 44, (2003), pages 3367 - 3369	
		I. OJIMA, et al., "Design, Synthesis and Sar of RGD Peptide Hybrids as highly Efficient Inhibitors of Platelet Aggregation", <u>Bioorganic & Medicinal Chemistry Letters</u> , (1995), Vol. 5, No. 17, pages 1941 - 1946	
		L. GRAF, et al., "Electrostatic Complementarity within the Substrate-Binding Pocket of Trypsin", <u>Proc. Natl. Acad. Sci. USA</u> , (1988), Vol. 85, pages 4961 - 4965	
		T. TANAKA, et al., "Human Leukocyte Cathepsin G. Subsite Mapping with 4-Nitroanilides, Chemical Modification, and Effect of Possible Cofactors", <u>Biochemistry</u> , (1985), Vol. 24, pages 2040 - 2047	
		J. MACOR, et al., "The Discovery of a Novel and Potent Benzodiazepine Receptor Pharmacophore", <u>Bioorganic & Medicinal Chemistry Letters</u> , Vol. 5, No. 20, pages 2397 - 2402	
		A. VARNAVAS, et al., "Anthranoyl-Anthranilic Acid: A Template for the Development of a New Class of Cholecystokinin Receptor Ligands", <u>Pharmazie</u> , (1996), Vol. 51, No. 10, pages 697 - 700	
		A. BERNHARDT, et al., "The Solid-Phase Synthesis of Side-Chain-Phosphorylated Peptide-4-Nitroanilides", <u>J. Peptide Res.</u> (1997), Vol. 50, Vol. 2, pages 143 - 152	
		M. MERGLER, et al., "Protected Peptide p-nitroanilides by Solid-Phase Synthesis", <u>Letters in Peptide Science</u> , (2000), Vol. 7, No. 1, pages 1 - 7	
		A. ESCHERICH, et al., "Peptide/Benzodiazepine Hybrids as Ligands of CCKa and CCKb Receptors", <u>Biopolymers</u> , (2001), Vol. 56, No. 2, pages 55 - 76	

Examiner Signature	/Noble Jarrell/	Date Considered	11/09/2007
--------------------	-----------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.58. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application forms to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS OFFICE. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

07-22-05 JCO6 Rec'd PCT/PTO 21 JUL 2005 PCT

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM	
Application Number	10/534,725
Filing Date	May 12, 2005
First Named Inventor	H. Abe
Art Unit	tba
Examiner Name	tba
Attorney Docket Number	3122 USOP
(to be used for all correspondence after initial filing)	
Number of Pages in This Submission	9

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO Form PTO/SB/08A (3 pages) PTO Form PTO/SB/08B (1 page) Copies of 28 references
<input type="checkbox"/> Remarks _____ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 500799.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	<i>Elaine M. Ramesh</i>		
Printed name	Elaine M. Ramesh		
Date	7/21/05	Reg. No.	43,032

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name			Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Express Mailing # 21 504905177 US